UNITED STATES DISTRICT C SOUTHERN DISTRICT OF NE		X	
JAMES W. GILLIAM, et al.,		; ;	
Pla	aintiffs,	: :	22-CV-7513 (JMF)
-V-		· :	22-C V - 7313 (JIVII <sup>-</sup> )
		:	<u>ORDER</u>
DISCOVER BANK, et al.,		:	
De	efendants.	:	
		: X	

JESSE M. FURMAN, United States District Judge:

Plaintiffs James W. Gilliam and Laura A. Gilliam move for "judgment as a matter of law" pursuant to Rule 50(a) of the Federal Rules of Civil Procedure. *See* ECF No. 44 ("Pls.' Motion"). Rule 50(a) applies only when "a party has been fully heard on an issue during a jury trial," *see* Federal Rule of Civil Procedure 50(a), and this case has not yet proceeded to discovery, much less to trial by jury. The motion is therefore DENIED as premature.

Plaintiffs argue in their motion that they deserve "a meaningful opportunity to be heard." Pls.' Motion at 5. Nothing in this order, or the prior orders of this Court, denies Plaintiffs a meaningful opportunity to be heard. This case was stayed *at Plaintiffs' own request. See* ECF No. 34. In any event, there is a telephone conference on February 13, 2023, at 4:00 p.m., *see id.*, at which time the Court will discuss with the parties the next steps in this case and Plaintiffs will have an opportunity to be heard.

The Clerk of Court is directed to terminate ECF No. 45 and to mail a copy of this order to Plaintiff Laura A. Gilliam.

SO ORDERED.

Dated: January 27, 2023

New York, New York

JESSEM, PURMAN

United States District Judge